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LISA RUIZ-LEE, and CLARK COUNTY

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

NATALIE NELSON, individually and as  
natural mother and legal guardian of minor  
child ALEXANDER L.; RICHARD E.  
NELSON, maternal grandfather of  
ALEXANDER L.; CATHERINE R.  
NELSON, maternal grandmother of  
ALEXANDER L.,

Plaintiffs,

v.

MICHAEL WILLDEN, Director of the  
Nevada Department of Health and Human  
Services; AMBER HOWELL, Administrator  
of the Nevada Division of Child and Family  
Services; DONALD BURNETTE, Clark  
County Manager; CLARK COUNTY; LISA  
RUIZ-LEE, Director of Clark County  
Department of Family Services, DOES I-X,  
inclusive; DOES XI-XX, inclusive,

Defendants.

CASE NO. 2:13-cv-00050-GMN-VCF

**STIPULATION AND ORDER TO STAY  
DISCOVERY  
(SECOND REQUEST)**

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CLARK COUNTY, a political subdivision of  
the State of Nevada,

Third-Party Plaintiff,

v.

KASONDRA MARTINSEN, an individual;  
OSBALDO SANCHEZ, an individual;  
MOES 1-10, inclusive; and MOE  
CORPORATIONS 1-10, inclusive,

Third-Party Defendants.

**STIPULATION AND ORDER TO STAY DISCOVERY**  
**(SECOND REQUEST)**

COME NOW, Plaintiff NATALIE NELSON, by and through her attorneys of  
record, PETER S. CHRISTIANSEN, ESQ. and R. TODD TERRY, ESQ. of the  
CHRISTIANSEN LAW OFFICES,; Defendants DONALD BURNETTE, LISA RUIZ-  
LEE and CLARK COUNTY, by and through their attorneys WALTER R. CANNON,  
ESQ., and FELICIA GALATI, ESQ., of the law firm of OLSON, CANNON, GORMLEY,  
ANGULO & STOBERSKI; and Defendants MICHAEL WILLDEN and AMBER  
HOWELL, by and through their attorneys ADAM PAUL LAXALT, ESQ., Attorney  
General and SHANNON C. RICHARDS, ESQ., Deputy Attorney General, and stipulate to  
stay discovery in this case for the following reasons and on the following terms. On June  
8, 2015, an Order (#127) was entered dismissing Plaintiffs RICHARD E. NELSON and  
CATHERINE R. NELSON's complaint with prejudice. The present discovery cut-off date  
is July 13, 2013, as set forth in the Stipulated Scheduling Order and Discovery Plan (#95)  
filed March 4, 2015.

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1 This is an action brought under 42 USC § 1983, 42 USC 671 and also alleges state  
2 civil rights, negligence, negligent supervision and training, negligent infliction of  
3 emotional distress, vicarious liability and civil conspiracy claims against Defendants.

4 The parties have undertaken substantial discovery in this case. The parties have  
5 exchanged multiple sets of written discovery and responded thereto. Plaintiffs have made  
6 their initial and fourteen (14) supplemental disclosures thereto. Defendants Donald  
7 Burnette, Lisa Ruiz-Lee, and Clark County have made their initial and thirty-one (31)  
8 supplemental disclosures thereto. Defendants Michael Willden and Amber Howell have  
9 made their initial and six (6) supplemental disclosures thereto. Aside from what is  
10 indicated above, the parties anticipate that some deposition, written discovery and expert  
11 depositions are what remains to be done in this case.  
12

13  
14 On June 8, 2015, the parties participated in an all-day mediation at JAMS with  
15 Mediator Lawrence R. Leavitt. Although the case has not settled, the parties have agreed  
16 to stay discovery for thirty (30) days to continue settlement discussions in an effort to  
17 resolve this complicated matter. In the event this case does not settle, the parties will  
18 submit a discovery plan to complete the written discovery, depositions and expert  
19 depositions and make their rebuttal expert disclosures in this case.  
20

21 Based upon the foregoing, the parties have stipulated to the following:

- 22
- 23 1. That discovery be stayed in this case for thirty (30) days to allow the parties to  
24 continue their settlement discussions, including with the assistance of Mediator  
25 Leavitt.
  - 26 2. That at the end of that time period, if the case does not settle, the parties will  
27 submit a discovery plan to this Court to complete the remaining discovery.  
28

3. The parties have entered into this Stipulation consistent with Fed.R.Civ.P. 1 – to secure the just, speedy and inexpensive determination of this action. The parties believe that staying discovery to allow the parties to fully explore settlement in this case and avoid additional discovery-related fees and costs would benefit all parties and avoid wasting financial resources that could otherwise be put to better use. In addition, if the continued settlement discussions are successful, they will be dispositive of this entire case. This Court has broad discretion to stay discovery pursuant to Fed.R.Civ.P. 26(c). See Landis v. N. Am. Co., 299 U.S. 248, 254 (1936) (“the power to stay proceedings is incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort for itself, counsel, and for litigants”) ; Little v. City of Seattle, 863 F.2d 681, 685 (9<sup>th</sup> Cir. 1988) (“The district court has wide discretion in controlling discovery.”) No trial date has yet been ordered.

This Stipulation is entered into this 9<sup>th</sup> day of June, 2015.

**OLSON, CANNON, GORMLEY,  
ANGULO & STOBERSKI**

**CHRISTIANSEN LAW OFFICES**

*/s/Felicia Galati*  
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*/s/R. Todd Terry*  
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1 **ADAM PAUL LAXALT**  
2 **Attorney General**

3 */s/Shannon C. Richards*

4 By: \_\_\_\_\_

5 SHANNON C. RICHARDS, ESQ.  
6 Nevada Bar No. 009660  
7 555 E. Washington Avenue, Suite 3900  
8 Las Vegas, Nevada 89101  
9 Attorneys for Defendants Michael  
10 Willden and Amber Howell

11 **ORDER**

12 **IT IS SO ORDERED:**

13 

14 **UNITED STATES MAGISTRATE JUDGE**

15 Dated: June 18, 2015  
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